

REMARKS

Claims 5, 7 and 9 are pending in this application. The Office Action rejects claims 5, 9 and 10 under 35 U.S.C. §102(b); rejects claims 7 and 8 under 35 U.S.C. §103(a); and objects to claim 6 as being dependent upon a rejected base claim. By this Amendment, claim 5 is amended and claims 6, 8 and 10 are canceled. No new matter is added.

I. Claim Objections

Applicants appreciate that the Examiner has only objected to claim 6 for being dependent upon a rejected base claim, and has declared claim 6 to be allowable if rewritten in independent form. The subject matter of claim 6 is hereby incorporated into independent claim 5.

Amended claim 5 therefore includes allowable subject matter. For at least these reasons, the objection to claim 6 is obviated. Reconsideration and withdrawal of the objection are earnestly solicited.

II. Rejections under 35 U.S.C. §102(b)/35 U.S.C. §103(a)

The Office Action rejects claims 5, 9 and 10 under 35 U.S.C. §102(b) as anticipated by Kotani et al. (U.S. Patent No. 5,545,243; hereafter "Kotani"); and rejects claims 7 and 8 under 35 U.S.C. §103(a) as unpatentable over Kotani. Claim 5 is hereby amended and claims 6, 8 and 10 are canceled.

As discussed above, claim 5, as amended, now includes the allowable subject matter of claim 6. Claim 6 refers to a "tomographic pore distribution" which is nowhere taught or suggested by Kotani.

For at least these reasons, claims 5, 7 and 9 are not anticipated by, nor would they have been rendered obvious by, Kotani. Reconsideration and withdrawal of the rejections are respectfully requested.

III. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of the claims are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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